

SIMTEK6598

IN THE UNITED STATES PATENT OFFICE

In re Application of
Kunio Miyazaki
Tomoyuki Kawano
Kazuya Tokunaga
Ichiro Ikenaga

App. No.: 10/709217
Filed: April 22, 2004
Conf. No.: 3216
Title: CONTROL METHOD FOR
MOVING RACKS
Examiner: D. Pihulic
Art Unit: 3662
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

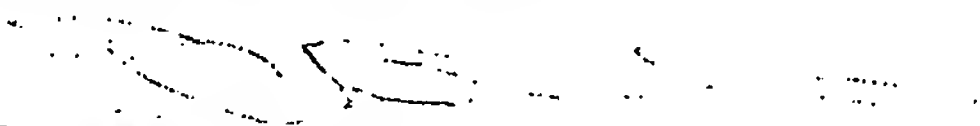
THIRD FOLLOW UP ON REQUEST FOR REINSTATEMENT

Dear Sir:

This is to follow up on my unanswered request filed May 5, 2008 that was submitted in response to the Notice Of Abandonment, mailed April 22, 2008 and the Follow UP, filed July 27, 2008, neither of which have been answered. That Notice, mailed April 22, 2008, stated that the Issue and Publication Fees were not timely paid. It is correct that the payment was made within one month after the due date. However the transmittal was made along with a request for a one month extension and the fee for that extension was indicated as paid in the Electronic Acknowledgment Receipt issued at the time. The total payment made was \$1860 that includes both the Issue and Publication Fees as well as the fee for the requested one month extension.

Please advise now when this case will be reinstated and also the added term applied for the patent, if any.

Respectfully submitted:


Ernest A. Beutler
Reg. No. 19901

Phone (949) 721-1182 Pacific Time

CC: Office of the Commissioner